

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Therian Whitehead

Docket No. 5:09-CR-75-4H

Petition for Action on Supervised Release

COMES NOW Arthur B. Campbell, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Therian Whitehead, who, upon an earlier plea of guilty to Interference with Commerce by Threats or Violence and Aiding and Abetting, 18 U.S.C. §§ 1951 and 2, Possession of a Firearm During and in Relation to a Crime of Violence and Aiding and Abetting, 18 U.S.C. §§ 924(c)(1)(A) and 2, Possession of a Firearm by a Felon and Aiding and Abetting, 18 U.S.C. §§ 922(g)(1), 924 and 2, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on November 9, 2009, to the custody of the Bureau of Prisons for a term of 114 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

Therian Whitehead was released from custody on October 7, 2016, at which time the term of supervised release commenced.

On March 28, 2018, the court was notified via a Violation Report that the defendant had tested positive for marijuana. Supervision was continued and he was referred for drug treatment.

On June 25, 2018, a Motion for Revocation of Supervised Release was submitted to the court due to the defendant absconding. On July 12, 2018 the warrant was served, and the defendant appeared before the Honorable Robert T. Numbers II for his initial appearance. He was released on the same conditions previously imposed.

On September 6, 2018, the probation office asked that the Motion for Revocation be withdrawn, and the defendant be allowed to continue on supervision. The court concurred.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On January 19, 2020, the defendant submitted a drug screen that was positive for marijuana. The defendant is currently enrolled in substance abuse treatment at Waynesboro Clinic in Goldsboro, N.C. In response to his use of illegal narcotics, the probation office has requested that his conditions of supervision be modified to include 24 hours of community service. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required fee.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Michael C. Brittain
Michael C. Brittain
Supervising U.S. Probation Officer

/s/ Arthur B. Campbell
Arthur B. Campbell
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8677
Executed On: February 19, 2020

ORDER OF THE COURT

Considered and ordered this 20th day of February, 2020, and ordered filed and made a part of the records in the above case.

Malcolm J. Howard
Malcolm J. Howard
Senior U.S. District Judge